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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,565	03/17/2004	Young-Nam Kim	IK-0084	1905
34610 7590 07/23/2008 KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200				
EXAMINER				
ING, MATTHEW W				
ART UNIT		PAPER NUMBER		
3637				
MAIL DATE		DELIVERY MODE		
07/23/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/801,565

Applicant(s)

KIM, YOUNG-NAM

Examiner

MATTHEW W. ING

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,10 and 12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3,4,6,10 and 12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

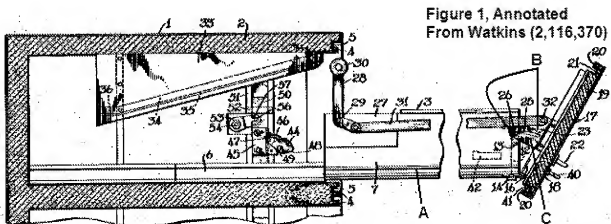
Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6 December 2007 has been entered.

2. Claims 1, 4, 6, & 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins (2,116,370) as applied to the claim(s) above, further in view of Wilkins (5,040,856) and Becker (5,975,663).



3. Watkins teach(es) the structure substantially as claimed, including a door (17) configured to selectively open and close a storage space formed in a refrigerator body (1) by being drawn out and pushed into the refrigerator body in a manner in which a drawer is moved, the door being capable of being pivoted about a lower end of the door; at least one support frame (7) hingedly

connected (16) at a lower end to a rear surface of the door (17) thereby creating a hinge connection (16) to allow the door to pivot about the lower end of the door (17) and obviously capable of having a storage box for storing an object to be seated behind the door (see Figure 1); and at least one cover bracket (i.e., the portion of Item 23 below Item 25 - Item C in Figure 1 Annotated) protruding backward from the rear surface of the door at a position adjacent to and outward of the at least one support frame and hinge connection; wherein, when the door is pivoted, the cover bracket shields at least a part of the support frame (7). See Figures 1 & 2.

4. The only difference between Watkins and the invention as claimed is that Watkins fail(s) to teach at least one support frame in the shape of an inverted "L"; and wherein, when the door is pivoted, the cover bracket shields the hinge connection and blocks access from an outside of the door to the hinge connection.

5. Wilkins, however, teaches at least one frame-like structure (combination of 28 & 146, or 30 & 146) in the shape of an inverted "L"; see Figures 1 & 4. Additionally, Becker teaches a cover bracket (111) positioned & shaped to shield a hinge connection (40) and blocks access from an outside of a door (18) to said hinge connection. See Figures 1 & 3. The examiner points out that Becker can be viewed as generally teaching the shaping of a cover bracket in order to shield a hinge connection.

6. It would have been obvious to one of ordinary skill in the art to include flanges along the upper edges of the support frame of Watkins, as taught by Wilkins, in order to provide structural reinforcement thereto; and to modify the size & shape of the cover bracket of Watkins to shield the hinge connection thereof, as taught by Becker, in order to improve the aesthetic appearance

& safety of said structure, and to prevent extraneous matter from interfering with said hinge connection, thereby providing the structure substantially as claimed.

7. Regarding claim 4, Watkins teaches a structure wherein the door (17) further includes at least one tilting latch formed at one side of the rear surface of the door (17), the door having a lower end hingedly assembled (16) with the support frame (7), the tilting latch having a latch jaw (i.e., those portions of Item 23 located behind and above Item 25 - designated as Item B in Figure 1 Annotated) and the support frame (7) having a stopper pin (26), wherein the latch jaw (B) and the stopper pin (26) can be engaged with each other to limit a range within which the door can be pivoted (see Figures 1 and 3).

8. Regarding claim 6, the structure of Watkins includes at least one movable rail (Item A of Figure 1, Annotated) formed on the support frame (7); and at least one guide rail (6) formed on an inner surface of a side wall of the refrigerator body (1), wherein the guide rail (6) is engaged with the movable rail (A), and guides movement of the support frame (see column 2, lines 3-4).

9. Regarding claim 12, Watkins teaches a structure wherein the at least one cover bracket (i.e., the portion of Item 23 below Item 25 - Item C in Figure 1 Annotated - as modified in view of Becker) is formed a predetermined distance apart from the at least one support frame (7) and the hinge connection (16). The examiner points out that the cover bracket of Watkins is a part of Item 23 thereof, and that Item 23 is positioned in a location that is horizontally spaced from both the support frame (7) & hinge connection (16) thereof. See Figure 2. As such, the structure of Watkins as modified by Wilkins & Becker is viewed as reading upon the limitations of claim 12.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins (2,116,370), Wilkins (5,040,856), and Becker (5,975,663) as applied to the claim(s) above,

further in view of Jenkins (5,487,239). Watkins, Wilkins, and Becker teach the structure substantially as claimed above, including a drawer-type refrigerator door wherein said door is capable of being pivoted about the lower end of said door, the only difference being Watkins, Wilkins, and Becker fail to teach a door basket for storing an object, said door basket being disposed at an upper portion of the rear surface of the refrigerator door. Jenkins, however, teaches the inclusion of a door basket (46) for storing an object, said door basket being disposed at an upper portion of the rear surface of the refrigerator door. It would have been obvious to one of ordinary skill in the art to incorporate the door basket of Jenkins into the door of the structure of Watkins as modified by Wilkins and Becker in order to provide a space for storing butter or eggs, thereby providing the structure substantially as claimed.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meek (2,711,944) in view of Watkins (2,116,370), Wilkins (5,040,856), and Becker (5,975,663).

12. Meek teaches the structure substantially as claimed, including a refrigerator body (10); a door (25) configured to selectively open and close a storage space in the refrigerator body (10), by being drawn out and pushed into the refrigerator body (10) in a manner in which a drawer is moved (see Figure 2); at least one support frame (31) that is inherently capable of having a storage box for storing an object to be seated behind the door (see Figure 2).

13. The only difference between structure of Meek and the invention as claimed is that, Meek fails to teach a door capable of being pivoted about a lower end of the door; at least one support frame in the shape of an inverted "L" hingedly connected to a rear surface of the door thereby creating a hinge connection to allow the door to pivot about the lower end of the door and inherently capable of having a storage box for storing an object to be seated behind the door; and

at least one cover bracket protruding backward from the rear surface of the door and configured to completely cover a gap between the support frame and the rear surface of the door and the hinge connection when the door is opened; and wherein, when the door is pivoted, the cover bracket shields the hinge connection and blocks access from an outside of the door to the hinge connection.

14. Watkins, however, teaches a door (17) capable of being pivoted about a lower end of the door (see Figure 1); at least one support frame (7) hingedly connected (16) to a rear surface of the door thereby creating a hinge connection (16) to allow the door (17) to pivot about the lower end of the door (17) and inherently capable of having a storage box for storing an object to be seated behind the door (see Figure 1); and at least one cover bracket (i.e., the portion of Item 23 below Item 25 - Item C in Figure 1 Annotated) protruding backward from the rear surface of the door (17) and configured to cover a gap between the support frame (7) and the rear surface of the door (17) and the hinge connection (16); wherein said cover bracket is at a position adjacent to and outward of the at least one support frame (7) and hinge connection (16) with respect to a central longitudinal axis of the storage box; wherein the at least one cover bracket is formed separate from the at least one support frame (7) and the hinge connection (16). The examiner points out that the cover bracket (C) of Watkins covers at least a portion of the triangular gap between the support frame (7), the rear surface of the door (17), and the hinge connection (16) when the door is opened.

15. Additionally, Wilkins teaches at least one frame-like structure (combination of 28 & 146, or 30 & 146) in the shape of an inverted "L"; see Figures 1 & 4. Additionally, Becker teaches a cover bracket (111) positioned & shaped to shield a hinge connection (40) and blocks access

from an outside of a door (18) to said hinge connection. See Figures 1 & 3. The examiner points out that Becker can be viewed as generally teaching the shaping of a cover bracket in order to shield a hinge connection.

16. It would have been obvious to one of ordinary skill in the art to replace the door & support frame of Meek with a door & support frame, as taught by Watkins, in order to allow objects to be more easily positioned within, and removed from, the refrigerator; to include flanges along the upper edges of the support frame of Meek as modified by Watkins, as taught by Wilkins, in order to provide structural reinforcement thereto; and to modify the size & shape of the cover bracket of Meek as modified by Watkins to shield the hinge connection thereof, as taught by Becker, in order to improve the aesthetic appearance & safety of said structure, and to prevent extraneous matter from interfering with said hinge connection, thereby providing the structure substantially as claimed.

Response to Arguments

17. Applicant's arguments filed 15 May 2008 have been fully considered but they are not persuasive.

18. In response to applicant's arguments regarding the Wilkins & Watkins references, the examiner points out that the term "frame" is commonly defined as referring to "a structure supporting or containing something", and that as such, Item 7 of Watkins, and the combination of Items 28 & 146 or 30 & 146 of Wilkins, can therefore be termed a "frame". As such, the inclusion of flanges, as taught by Wilkins, upon the upper edges of the support frame of Watkins, would obviously produce a structure comprising "at least one support frame in the shape of an

inverted 'L'". It is additionally noted that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

19. In response to applicant's arguments regarding the Becker reference, Becker is viewed, broadly, as generally teaching the shaping of a cover bracket in order to shield a hinge connection; and that the positioning of a cover bracket upon a door is viewed as being taught by the Watkins reference. It is noted that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. Additionally, although applicant terms Item 111 of Becker "part of the hinge connection", the examiner points out that Item 40 can be termed a "hinge connection", and that Item 111 can be alternately termed a cover *for* said hinge connection.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW W. ING whose telephone number is (571)272-6536. The examiner can normally be reached on Monday through Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MWI
7 July 2008

/José V. Chen/
Primary Examiner, Art Unit 3637